

DOCKET FILE COPY ORIGINAL

Original

The attached is the original copy of the Comments of the Council of Independent Communications Suppliers for **WT Docket No. 97-112** ~~CC Docket No. 90-6~~, submitted today July 2, 1997.

These Comments were prepared by John Kneuer, Executive Director, Government Relations, Industrial Telecommunications Association.

ORIGINAL

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

RECEIVED

JUL - 2 1997

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In the Matter of)	
)	
Cellular Service and Other Commercial Mobile Radio Services in the Gulf of Mexico)	WT Docket No. 97-112
)	
)	
Amendment of Part 22 of the Commission's Rules to Provide for Filing and Processing of Applications for Unserved Areas in the Cellular Service and to Modify Other Cellular Rules)	CC Docket No. 90-6
)	
)	
)	

**Comments of the
Council of Independent Communications Suppliers**

The Council of Independent Communications Suppliers ("CICS") pursuant to the Federal Communications Commission's Second Further Notice of Proposed Rulemaking in the above-referenced matter, hereby respectfully submits these Comments.¹

I. Preliminary Statement

1. CICS is an unincorporated association of entities engaged in serving the needs of private radio eligibles, particularly those located in small and rural communities throughout the United States. CICS' membership is open to SMR operators, radio dealers, equipment suppliers,

¹ Second Further Notice of Proposed Rulemaking (FCC 97-110), WT Docket No. 97-112, adopted March 28, 1997, released April 16, 1996, (hereinafter "Notice").

No. of Copies rec'd
List ABCDE

029

communications engineers and consultants. CICS was formed to provide these entities a voice in the policy-making process governing use of the electromagnetic spectrum, especially spectrum allocated to the Private Land Mobile Radio Services. CICS is an independent market council of the Industrial Telecommunications Association ("ITA").

II. Comments

2. In this proceeding, the Federal Communications Commission reexamined its cellular service rules as they apply to the Gulf of Mexico Service Area ("GMSA"), and requested comment on the potential authorization of other CMRS services in the Gulf.² The Commission also incorporated into this proceeding a petition for rulemaking to amend Part 90 of the Commission's rules to provide co-channel interference protection for SMR licensees operating in and around the Gulf of Mexico.³

3. In requesting comment on whether the two-zone licensing approach proposed for cellular unserved areas in the Gulf should be adopted for the licensing of additional services, the Commission directed commentors to address two important considerations. First, whether sufficient demand for additional services exists to warrant geographic area licensing, and second, what interference standards will be required to protect land-based service providers from the

² Notice at paragraph 1.

³ Id. at paragraph 62. See Letter from Kenneth W. Burnly, Myers Keller Communications Law Group, to David Furth, Chief, Commercial Wireless Division, dated February 21, 1997 ("PetroCom Petition").

unique characteristics of over-water transmissions.⁴ While CICS does not comment on the proposed cellular service rules for the GMSA, CICS is concerned that an adoption of these proposed rules for SMR services in the Gulf is both premature, and potentially problematic for land-based SMR service providers.

4. As the Commission notes, a number of SMR operators are currently licensed in the Gulf on a site-by-site basis.⁵ CICS is skeptical that sufficient demand exists to justify an expansion of the current SMR service in the Gulf, but will reserve comment until an affirmative showing to the contrary is made.

5. The specific issue of interference protection for Gulf SMR licensees has been raised by Petroleum Communications, Inc. ("PetroCom") in the incorporated petition for rulemaking. PetroCom asks the Commission to adopt special provisions for protecting SMR stations in the Gulf of Mexico from co-channel interference.⁶ PetroCom argues that the propagation characteristics of over-water radio transmissions are such that existing rules for SMR are inadequate to provide co-channel interference protection for SMR stations licensed in and near the Gulf of Mexico.⁷ PetroCom urges the Commission to adopt special rules, similar to those adopted for cellular service in the Gulf, that recognize the characteristics of radio signal

⁴ Notice at paragraph 63.

⁵ Id. at paragraph 61.

⁶ PetroCom Petition at 1.

⁷ Id. at 5.

propagation over water.⁸

6. CICS shares PetroCom's concern that the current rules governing SMR service in the Gulf of Mexico may not adequately provide co-channel interference protection for Gulf area SMR licensees. However, whereas PetroCom appears to be primarily concerned with protection for Gulf based licensees, CICS would like to emphasize the need to protect land-based SMR licensees from SMR stations located in the Gulf. Given the unique propagation characteristics of over-water transmissions, SMR sites located in coastal areas around the Gulf may be subject to interference from water-based licensees that meet existing co-channel interference rules. CICS cautions that this interference potential could increase dramatically if the Commission were to commence geographic licensing of SMR services in the Gulf without first addressing these interference issues.

7. CICS will reserve detailed comment on PetroCom's proposed rule changes until such time, if at all, that they are incorporated into a *Notice of Proposed Rulemaking* issued by the Commission. However, given the uncertainty surrounding the adequacy of the existing interference rules for SMR service in the Gulf of Mexico, CICS urges the Commission to refrain from establishing geographic area licensing for SMR services in the Gulf until all interference issues have been addressed to the satisfaction of the effected parties.

⁸

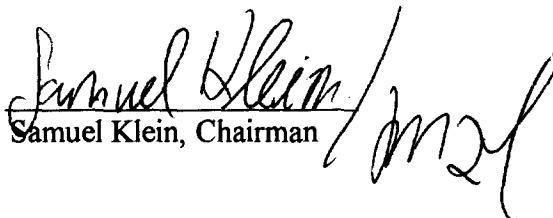
Id.

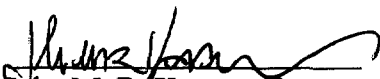
III. Conclusion

8. **WHEREFORE, THE PREMISES CONSIDERED**, the Council of Independent Communications Suppliers respectfully submits these Comments and urges the Federal Communications Commission to act in accordance with the views expressed herein.

**Council of Independent
Communications Suppliers**

1110 N. Glebe Road, Suite 500
Arlington, VA 22201
(703) 528-5115

By: 
Samuel Klein, Chairman

Prepared By: 
John M. R. Kneuer, Esq.
Executive Director, Government Relations
Industrial Telecommunications Association, Inc.

Date: July 2, 1997

Certificate of Service

I, Barbara Levermann, the Executive Assistant to the President and CEO of the Industrial Telecommunications Association do hereby certify that a copy of the foregoing COMMENTS OF THE COUNCIL OF INDEPENDENT COMMUNICATIONS SUPPLIERS has been served this 2nd day of July, 1997 by mailing U.S. First-Class, postage prepaid to the following:

Chairman Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Commissioner James H. Quello
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

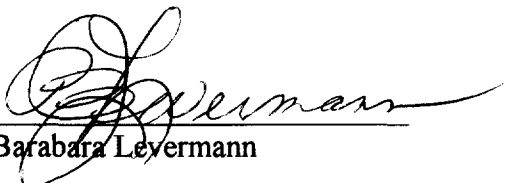
Commissioner Rachel B. Chong
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Commissioner Susan Ness
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dan Phythyon, Esq.
Acting Chief, Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W., Fifth Floor
Washington, D.C. 20554

David L. Furth, Esq.
Chief Commercial Wireless Division
Federal Communications Commission
2100 M Street, N.W., Seventh Floor
Washington, D.C. 20554

Richard S. Myers, Esq.
Myers Keller Communications Law Group
1522 K Street, N.W. Suite 1100
Washington, D.C. 20005
Counsel for Petroleum Communications, Inc.



Barabara Levermann